GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department- Diversion of forest land for renewal of mining lease over an extent of 2.92 Ha. (i.e.1.75 Ha. for mining +0.50 Ha. for dumping +0.67 Ha. for safety zone) in Compt.No.209 of Ragimanupenta R.F of Chittoor (West) Division, for Black Granite quarry lease, in favour of M/s. Jyotheeswaram Granites, Chittoor - Validity of the Forest clearance approval as co-terminus with the period of mining lease - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 42 **Dated: 17-04-2018**
Read the following:-

1. From GoI, MoEF& C.C, Lr.No.4-APB033/2017-CHN/1797, Dt.8-11-2017.
2. G.O MS No.80, EFS&T (Section-II) Dept. Dated.23-11-2017.
3. From GoI, MoEF& C.C, Lr.F No.11-51/2015-FC, Dated. 30-11-2017.
4. Representation of user agency dated.15-02-2018.
5. State Govt. Lr.No.821/Section-II/2018, Dt.15-03-2018.
6. GoI, MoEF&CC, Chennai, Lr.F.No.4-APB033/2017-CHN/0419, dt.21-3-2018.

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ORDER:-

The Government of India, Ministry of Environment, Forests & Climate Change in the reference 1st read above, have accorded (Stage-II) approval under Forest (Conservation) Act, 1980 for diversion of forest land for renewal of mining lease over an extent of 2.92 Ha. (i.e.1.75 Ha. for mining +0.50 Ha. for dumping +0.67 Ha. for safety zone) in Compt.No.209 of Ragimanupenta R.F of Chittoor (West) Division, for Black Granite quarry lease, in favour of M/s. Jyotheeswaram Granites, Chittoor in which one of the Condition No.VII of the approval stipulates that "Period of diversion of the said forest land under this approval shall be for a period of 10 years or co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015, or Rules framed there under whichever is earlier". Accordingly, the Government of Andhra Pradesh vide reference 2nd read above, have issued orders for diversion of above said forest land by imposing the above condition.

2. The Government of India, Ministry of Environment, Forests & Climate Change in their letter 3rd read above, have issued a guideline regarding period of validity of approvals accorded under Forest (Conservation) Act, 1980 stating that the "existing period of validity of forest clearance granted for diversion of forest land under section-2 (ii) of Forest (Conservation) Act, 1980 for mining of minor mineral in the state regulated under rules made under section 15 of MMDR Act, 1957 shall be for a period of co-terminus with the period of mining lease as deemed extended under section 15 of MMDR Act, 1957", subject to certain conditions.

3. Based on the guidelines of Government of India issued in the reference 3rd read above, the user agency i.e. M/s. Jyotheeswaram Granites have represented to the State Government to extend the period of validity of approval to be Co-terminus with the period of mining lease as deemed extended under section 15 of MMDR Act 1957. While forwarding the representation of user agency, the State Government have requested the Government of India to issue clarification on the request made by the user agency vide letter 5th read above.

(Contd-2)

4. The Government of India, Ministry of Environment, Forests & Climate Change, Chennai in their letter 6th read above, have clarified that as per the guidelines issued in the reference 3rd read above, the condition No.(7) stipulated in the Stage-II approval dated.3-11-2017 may be corrected to read as follows:-

> "The validity of the forest clearance (Stage-II) dated.3-11-2017 granted for renewal of diversion of 3.60 ha (including safety zone area) for the subject project under Section 2(ii) of Forest (Conservation) Act, 1980 for mining of minor mineral in the state regulated under Rules made under Section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under Section 15 of MMDR Act, 1957 as per the Ministry's guidelines No 11-51/2015-FC, dated.30-11-2017."

5. Government after careful examination of the clarification accorded by Government of India, Ministry of Environment, Forests & Climate Change in the references 3rd & 6th read above, hereby permit the user agency i.e. M/s. Jyotheeswaram Granites for mining of minor mineral in the state regulated under Rules made under Section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under Section 15 of MMDR Act, 1957 for the orders issued in the reference 2nd read above, subject to the condition that the User Agency shall comply with all conditions stipulated in the approval accorded in the references 1st & 2nd read above.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s. Jyotheeswaram Granites,
Gondivandlavuru, 155, Kammapalli Post,
Yadameri Mandal, Chittoor – 517 422

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER